

REMARKS

Prior to entry of the present amendment, claims 46, 48-60, and 64-73 are pending. Claims 46 and 48-57, due to a Restriction Requirement, are withdrawn from consideration. Claims 58-60, 64, 65, 67, 68, 70, 71, and 73 are allowed. Claim 69 is objected to. Claims 66 and 72 are rejected under 35 U.S.C. § 112, first paragraph. Applicants address each basis for rejection as follows.

Claim Amendments

Withdrawn claims 46, 48-50, and 52-57 have been cancelled. Claim 66 has been amended to recite the features of claim 69. Claim 73 has been amended to replace the abbreviation "FVIII" with "Factor VIII."

Withdrawn claim 51 has been amended to recite the features of the antibody or antibody fragment recited in allowed claim 58. Similarly, new claims 74 and 75 have been added and are directed to the method of withdrawn claim 51 amended to recite the features of the antibody or antibody fragment of claims 64 and 66 (as amended), respectively.

No new matter has been added by the present amendments. Applicants reserve the right to pursue any cancelled subject matter in this or in a continuing application.

Rejection under 35 U.S.C. § 112, first paragraph

Claims 66 and 72 are rejected under 35 U.S.C. § 112, first paragraph, for an asserted lack of enablement in the specification as filed. The Office states that claim 69, which depends from claim 66, "is objected to as being dependent upon a rejected claim, but would be allowable if rewritten in independent form including all of the limitations of the independent claim and any intervening claims."

Claim 66 has been amended to include the features of claim 69. As such, Applicants submit that claim 66 as amended corresponds to claim 69 rewritten in

independent form and, therefore, should be allowable. Claim 72 depends from claim 66 and, in view of the amendment to claim 66, should also be allowable.

Applicants submit that claim 66 as amended and claim 72 are free of the enablement rejection. This basis for rejection may be withdrawn.

Request for Rejoinder

In the Restriction Requirement issued on January 25, 2008, the Office required restriction between product and process claims and stated (page 3):

Where applicant elects claims directed to the product, and the product claims are subsequently found allowable, withdrawn process claims that depend from or otherwise require all the limitations of the allowable product claim will be considered for rejoinder.

The Office has indicated that independent claims 58 and 64 are allowable and, Applicants submit that, for the reasons set forth above, independent claim 66, as amended, is also allowable. Claims 58, 64, and 66 are directed to products, namely inhibitory antibodies against Factor VIII or fragments thereof. Withdrawn claim 51 is directed to a process of obtaining a library of at least two inhibitory antibodies against Factor VIII and now has been amended to recite the features of the antibody or antibody fragment encompassed by claim 58. Similarly, new claims 74 and 75 correspond to claim 51 amended to recite the features of the antibody or antibody fragments encompassed by claims 64 and 66 (as amended), respectively.

Applicants submit that claim 51 as amended and new claims 74 and 75 are process claims that require all of the limitations of the allowable product claims and respectfully request that these claims be considered for rejoinder.

CONCLUSION

Applicants submit that the application is now in condition for allowance, and such action is hereby respectfully requested.

Applicants authorize the Office to charge \$220.00 to Deposit Account No. 03-2095 in payment of excess claims fees for two (2) independent excess claims added.

If there are any additional charges or any credits, please apply them to Deposit Account No. 03-2095.

Respectfully submitted,

Date: 18 December 2009



Jan N. Tittel
Reg. No. 52,290

Clark & Elbing LLP
101 Federal Street
Boston, MA 02110
Telephone: 617-428-0200
Facsimile: 617-428-7045